## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (MBHB Docket No. 03-987)

)
) Confirmation No.: 5256
) Art Unit: 3693
) Examiner: Kenneth Bartley )

Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

## REMARKS

The Applicant is submitting the terminal disclaimer attached herewith in order to expedite allowance of the application and currently takes no position with respect to whether the pending claims are patentably distinct from those issued in the continuation case.

The appropriate fee for a terminal disclaimer is included in this submission. The Patent

Office is hereby authorized to charge any required fees or credit any overpayment to Deposit

Account No. 132490.

Should the Examiner wish to discuss this case, the Examiner is invited to call the undersigned at (312) 913-3359.

Respectfully submitted,

McDONNELL BOEHNEN HULBERT & BERGHOFF LLP

Date: January 11, 2010 By: /Jessica L. Lunney/

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